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**Attorneys for Plaintiff**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

**INN FOODS, INC.,**

**Case No.: 5:08-cv-03022-JF**

**Plaintiff,**

**vs.**

**DENISE E. FLEMMING and CHARLES  
JOHN FLEMMING,**

**Defendants.**

**FINAL JUDGMENT ON DEFAULT**

THIS MATTER having come before the Court on Plaintiff's Application for Entry of Final Default Judgment, and the Court having reviewed the file and being otherwise duly advised in the premises, it is hereby ORDERED and ADJUDGED that:

1. The Plaintiff is a valid trust beneficiary under Section 5(c) of the Perishable Agricultural Commodities Act of 1930, as amended, 7 U.S.C. 499e(c) ("PACA"), against Defendant Charles John Flemming in the total amount of \$62,796.82 all of which qualifies for protection under PACA, until satisfied, for which let execution issue;

2. Judgment is hereby entered in favor Plaintiff, and against Defendant Charles John Flemming, in the total amount of \$62,796.82 which consists of the original principal of \$62,262.82, plus \$534.00 in costs, for which let execution issue forthwith.

1           3.       Post-judgment interest at the rate set forth by 28 U.S.C. §1961 shall  
2 accrue from the date of the entry of this Judgment until paid in full.

3           **DONE and ORDERED**, this 18th day of November, 2008 in chambers in  
4 San Jose, California.

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7 Jeremy Fogel  
United States District Court Judge  
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